

**ALTICOR**

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Legal Division

FAX COVER SHEET

DATE: 6/18/02

TO: Michael Miller
RE: Serial No: 09/575307

FAX NUMBER: (703) 746-5254

FROM: Amy Ahn
Alticor Inc.
Legal Division
(616) 787-8208

FAX NUMBER: (616) 787-9027

PAGES, INCLUDING COVER: 8

COMMENTS: Please see attached.

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ART UNIT

EXAMINER'S OFFICE PHONE NUMBER: (703)

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EXHIBIT

tabbies

B

Alexandra
Manolas@BHGL1

06/14/02 05:35 PM

To: Ramona Gerke/Legal/Corp/Amway@AMWAY, Toni
Rich/Legal/Corp/Amway@AMWAY

cc:

Subject: Missing PTO Action

Hi Ramona:

I spoke with Mark Rolla. He brought to my attention that this action was mailed out to us during the time that the PTO had mail problems due to the anthrax situation.

Mark told me that approximately 5% of incoming and outgoing mail from the PTO was lost due to the anthrax situation.

We suspect that this is why we did not receive the action in our office, despite the fact the PTO mailed it to us.

Please call me if you have any other problems, or questions I can help you out with.

Have a good day!

Sandra

06/JUN.18.2002 14 1:54PM 703 LEGAL 2ND FLOOR

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,307	05/19/2000	Ernesto A. Bruvelli	3086/1154 (PS0299)	1112

28533 7590 02/27/2002
BRINKS, HOFER, GILSON & LIONE
IN RE: ALTICOR INC.
P.O. BOX 10395
CHICAGO, IL 60610

EXAMINER
MELLER, MICHAEL V

ART UNIT	PAPER NUMBER
1651	

DATE MAILED: 02/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Received from <1 616 787 9027> at 6/18/02 1:56:26 PM [Eastern Daylight Time]

EXHIBIT

A

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Search results for application number:09/575,3			
Application Filing Date:	05-19-2000	Class / Sub-Class:	424/195.100
Issue Date of Patent:		Location:	TECH CENTER 1600-ASSURANCE 2, CM1.
Examiner Name:	MELLER, MICHAEL V	Status:	Non Final Action Mail
Group Art Unit:	1651	Attorney Docket Number:	3086/1154 (PS0299)
Earliest Publication No:		Patent Number:	
Earliest Publication Date:		Customer Number:	28533
Confirmation Number:	1112		

File Contents History

Number	Date	Contents Description
13	02-27-2002	Mail Non-Final Rejection
12	02-25-2002	Non-Final Rejection
11	12-20-2001	Date Forwarded to Examiner
10	10-17-2001	Response after Non-Final Action
9	07-17-2001	Mail Non-Final Rejection
8	07-16-2001	Non-Final Rejection
7	11-20-2000	Information Disclosure Statement (IDS) Filed
6	10-25-2000	Case Docketed to Examiner in GAU
5	10-18-2000	Application Is Now Complete
4	07-31-2000	Incomplete Application under Rule 53(b) - Filing Date
3	07-29-2000	Correspondence Address Change
2	06-09-2000	Application Scanned
1	05-19-2000	Initial Exam Team nn

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Office Action Summary

Application No.

09/575,307

Applicant(s)

BROVELLI ET AL.

Examiner

Michael V. Mellar

Art Unit

1651

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 and 12-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-802)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.